

Dear Senators HEIDER, Nuxoll, Bock, and
Representatives WOOD, Perry, Rusche:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Bureau of Occupational Licenses - Board of Examiners of Residential Care Facility Administrators: IDAPA 24.19.01 - Rules Pertaining To The Board of Examiners of Residential Care Facility Administrators (Fee Rule) - Proposed Rule (Docket No. 24-1901-1401).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 09/25/2014. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 10/24/2014.

The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the memorandum attached below.



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee

FROM: Legislative Research Analyst - Elizabeth Bowen

DATE: September 08, 2014

SUBJECT: Bureau of Occupational Licenses - Board of Examiners of Residential Care Facility Administrators

IDAPA 24.19.01 - Rules Pertaining To The Board of Examiners of Residential Care Facility Administrators
(Fee Rule) - Proposed Rule (Docket No. 24-1901-1401)

The Board of Examiners of Residential Care Facility Administrators submits notice of proposed rulemaking at IDAPA 24.19.01. The proposed rule increases application, license, and license renewal fees from \$100 to \$150. The purpose of the rule is to increase revenues to meet expenses.

The rule has no negative impact on the state general fund. Negotiated rulemaking was not conducted; however, the fee increase was discussed during a noticed, open meeting of the Board. The rule is consistent with the Board's authority under Section 54-4205, Idaho Code.

cc: Bureau of Occupational Licenses - Board of Examiners of Residential Care Facility Administrators
Tana Cory

PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: BUREAU OF OCCUPATIONAL LICENSES

Agency Contact: Cherie Simpson Phone: 208 334-3233

Date: August 8, 2014

IDAPA, Chapter and Title Number and Chapter Name:

24.19.01 – RULES OF THE BOARD OF EXAMINERS OF RESIDENTIAL CARE FACILITY ADMINISTRATORS

Fee Rule Status: Proposed Temporary

Rulemaking Docket Number: 24-1901-1401

STATEMENT OF ECONOMIC IMPACT:

The rule change will result in an annual increase of approximately \$24,050.00 in the Board's dedicated fund based on the current number of licensees and an estimated number of 19 applications received last year. Fees paid by applicants and licensees will increase from \$100 to \$150 for applications, annual renewals and provisional permit fee.

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.19.01 - RULES OF THE BOARD OF EXAMINERS OF RESIDENTIAL CARE FACILITY ADMINISTRATORS

DOCKET NO. 24-1901-1401 (FEE RULE)

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-4205, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 17, 2014.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board of Examiners of Residential Care Facility Administrators operates on dedicated funds from fees paid by its licensees and applicants. The Board's expenses have been exceeding its revenues. This change will help balance the Board's annual budget while maintaining the services necessary to protect the health and safety of the public.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

Rule 600 is being amended to increase the application fee from \$100 to \$150; the annual renewal fee from \$100 to \$150; and the provisional/temporary permit fee from \$100 to \$150.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

This rulemaking will have no impact on general funds. The rule change will result in an annual increase of approximately \$24,050.00 in the Board's dedicated fund based on the current number of licensees and an estimated number of 19 applications received last year.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed increases are needed because the Board's expenses have been exceeding its revenues. This change was discussed during a noticed, open meeting of the Board.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 24, 2014.

DATED this 8th Day of August, 2014.

Tana Cory, Bureau Chief
Bureau of Occupational Licenses
700 W State St.
P O Box 83720
Boise, ID 83720-0063
Tel: (208) 334-3233 / Fax: (208) 334-3945

THE FOLLOWING IS THE PROPOSED TEXT OF FEE DOCKET NO. 24-1901-1401
(Only those Sections being amended are shown.)

600. FEES (RULE 600).

- 01. License Application Fee.** License application -- one hundred fifty dollars (\$1050). ~~(3-19-07)~~()
- 02. Annual Renewal Fee.** Annual renewal fee -- one hundred fifty dollars (\$1050). ~~(3-19-07)~~()
- 03. Provisional/Temporary.** Provisional/temporary -- one hundred fifty dollars (\$1050). ~~(3-19-07)~~()
- 04. Reinstatement Fee.** Reinstatement -- twenty-five dollars (\$25). (7-1-93)
- 05. Reissuance of Lost License Fee.** Reissuance of lost license -- ten dollars (\$10). (7-1-93)